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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

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9 J'MAR TEUYAN TARAFA,

10 Plaintiff,

11 v.

12 TAUNA TARAFA, *et al.*,

13 Defendants.

Case No. 3:18-cv-00201-MMD-WGC

ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE
WILLIAM G. COBB

14 Before the Court is the Report and Recommendation of United States Magistrate
15 Judge William G. Cobb (ECF No. 10) ("R&R" or "Recommendation") relating to Plaintiff's
16 application to proceed *in forma pauperis* ("IFP Application") (ECF No. 1). Plaintiff had
17 fourteen days from service of the R&R to file an objection. See LR-IB 3-2(a). The R&R
18 was issued on October 17, 2018 and mailed to Plaintiff on or about the same date.
19 Thus, the time for Plaintiff to object has expired and to date, no objection to the R&R has
20 been filed.

21 This Court "may accept, reject, or modify, in whole or in part, the findings or
22 recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where a party
23 timely objects to a magistrate judge's report and recommendation, then the court is
24 required to "make a *de novo* determination of those portions of the [report and
25 recommendation] to which objection is made." 28 U.S.C. § 636(b)(1). Where a party fails
26 to object, however, the court is not required to conduct "any review at all . . . of any issue
27 that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985).
28 Indeed, the Ninth Circuit has recognized that a district court is not required to review a

1 magistrate judge's report and recommendation where no objections have been filed. See
2 *United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard
3 of review employed by the district court when reviewing a report and recommendation to
4 which no objections were made); see also *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219,
5 1226 (D. Ariz. 2003) (reading the Ninth Circuit's decision in *Reyna-Tapia* as adopting the
6 view that district courts are not required to review "any issue that is not the subject of an
7 objection."). Thus, if there is no objection to a magistrate judge's recommendation, then
8 the Court may accept the recommendation without review. See, e.g., *Johnstone*, 263 F.
9 Supp. 2d at 1226 (accepting, without review, a magistrate judge's recommendation to
10 which no objection was filed).

11 Nevertheless, this Court finds it appropriate to engage in a *de novo* review to
12 determine whether to adopt Judge Cobb's R&R. Judge Cobb recommends dismissal
13 without prejudice because Plaintiff has not filed a completed IFP Application with the
14 financial certificate signed by a person authorized on behalf of Humboldt County Facility
15 despite having been multiple opportunities to file a completed IFP Application or pay the
16 required filing fee. (ECF No. 10.) Upon reviewing the R&R and proposed complaint, this
17 Court finds good cause to accept and adopt the Magistrate Judge's R&R in full.

18 It is therefore ordered that the Report and Recommendation of Magistrate Judge
19 William G. Cobb (ECF No. 10) is accepted and adopted in its entirety.

20 It is further ordered that this action is dismissed without prejudice.

21 The Clerk is directed to close this case.

22 DATED THIS 26th day of November 2018.

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25 MIRANDA M. DU
26 UNITED STATES DISTRICT JUDGE
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